

FOLEY LARDNER
ATTORNEYS AT LAW

RECEIVED
CENTRAL FAX CENTER

JAN 11 2005

FAX TRANSMISSION

TO: Commissioner for Patents

FROM: M. Scott McBride

Attn: Mail Stop AMENDMENT

P.O. Box 1450

Alexandria, VA 22313-1450

F&L REF. NO.: 084335-0134

Total pages, including this Fax Transmission Cover Page: 19

PTO FAX NUMBER 1.703.872.9306

If you do NOT receive all of the pages, please telephone us at (414) 297-5529, or fax us at (414) 297-4900.

Title of Document(s) Transmitted:

- AMENDMENT TRANSMITTAL
(IN DUPLICATE)
- NOTICE OF APPEAL FROM THE
EXAMINER TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES
- AMENDMENT AND RESPONSE UNDER
37 C.F.R. § 1.116

Applicant(s): Koji KIGAWA et al.
Serial No.: 09/808,462
Filed: March 22, 2002
Group Art Unit: 1637
Examiner: Strzelecka, Teresa E.
F&L Ref. No.: 084335-0134

By: M. Scott McBride
Name: M. Scott McBride
Reg. No.: 52,008

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

M. Scott McBride
M. Scott McBride

1/11/05
Date

RECEIVED
CENTRAL FAX CENTER

JAN 11 2005

Atty. Dkt. No. 084335-0134
Appl. Ser. No. 09/806,462

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Koji KIGAWA et al.

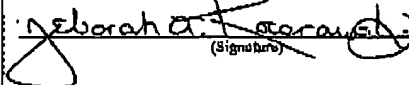
Title: METHOD FOR PREPARING
HIGH PERFORMANCE RECA-
LIKE RECOMBINASE/SINGLE-
STRANDED NUCLEIC ACID
PROBE COMPLEX AND
UTILIZATION THEREOF

Appl. No.: 09/806,462

Filing Date: 03/22/2002

Examiner: Strzelecka, Teresa E.

Art Unit: 1637

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.
Deborah A. Kocrowski (Printed Name)
 (Signature)
January 11, 2005 (Date of Deposit)

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Response in the above-identified application.

- ☒ [X] Notice Of Appeal From The Examiner To The Board Of Patent Appeals And Interferences (1 page).
- ☒ [X] Amendment And Response Under 37 C.F.R. § 1.116 (11 pages).

Atty. Dkt. No. 084335-0134
 Appl. Ser. No. 09/806,462

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee	
Total Claims:	10	-	21	=	0	x	\$50.00	=	\$0.00	
Independent Claims:	1	-	3	=	0	x	\$200.00	=	\$0.00	
First presentation of any Multiple Dependent Claims:							+	\$360.00	=	\$0.00

☒ Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00	\$1,020.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:			\$1,020.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. § 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION, DISCLAIMER AND NOTICE OF APPEAL			
FEE TOTAL:			\$1,520.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$1,520.00

☒ Please charge Deposit Account No. 19-0741 in the amount of \$1,520.00. A duplicate copy of this Transmittal is enclosed.

Atty. Dkt. No. 084335-0134
Appl. Ser. No. 09/806,462

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

1/11/05

FOLEY & LARDNER LLP
Customer Number: 22428

By

M. Scott McBride

M. Scott McBride
Attorney for Applicants
Registration No. 52,008
Telephone: (414) 297-5529
Facsimile: (414) 297-4900

RECEIVED
CENTRAL FAX CENTER

JAN 11 2005

Atty. Dkt. No. 084335-0134
Appl. Ser. No. 09/806,462

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Koji KIGAWA et al.

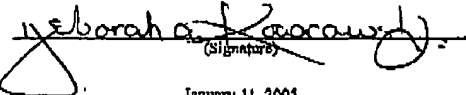
Title: METHOD FOR PREPARING
HIGH PERFORMANCE RECA-
LIKE RECOMBINASE/SINGLE-
STRANDED NUCLEIC ACID
PROBE COMPLEX AND
UTILIZATION THEREOF

Appl. No.: 09/806,462

Filing Date: 03/22/2002

Examiner: Strzelecka, Teresa E.

Art Unit: 1637

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Deborah A. Kosmowski (Printed Name)  (Signature) January 11, 2005 (Date of Deposit)

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Response in the above-identified application.

- [X] Notice Of Appeal From The Examiner To The Board Of Patent Appeals And Interferences (1 page).
- [X] Amendment And Response Under 37 C.F.R. § 1.116 (11 pages).

Atty. Dkt. No. 084335-0134
 Appl. Ser. No. 09/806,462

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee	
Total Claims:	10	-	21	=	0	x	\$50.00	=	\$0.00	
Independent Claims:	1	-	3	=	0	x	\$200.00	=	\$0.00	
First presentation of any Multiple Dependent Claims:							+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									=	\$0.00
[X]	Notice of Appeal Fee								\$500.00	
FEE TOTAL									\$500.00	

☒ Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[]	Extension for response filed within the first month:	\$120.00	\$0.00
[]	Extension for response filed within the second month:	\$450.00	\$0.00
[X]	Extension for response filed within the third month:	\$1,020.00	\$1,020.00
[]	Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[]	Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:			\$1,020.00
[]	Statutory Disclaimer Fee under 37 C.F.R. § 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION, DISCLAIMER AND NOTICE OF APPEAL FEE TOTAL:			\$1,520.00
[]	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$1,520.00

☒ Please charge Deposit Account No. 19-0741 in the amount of \$1,520.00. A duplicate copy of this Transmittal is enclosed.

Atty. Dkt. No. 084335-0134
Appl. Ser. No. 09/806,462

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

1/11/05

FOLEY & LARDNER LLP
Customer Number: 22428

By

M. Scott McBride

M. Scott McBride
Attorney for Applicants
Registration No. 52,008
Telephone: (414) 297-5529
Facsimile: (414) 297-4900